

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CRIMINAL CASE NO. 1:05cr273

UNITED STATES OF AMERICA,)

)

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vs.)

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DAVID HUGHES.)

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O R D E R

THIS MATTER is before the Court on the Defendant's motion for leave to withdraw his plea of guilty and to set aside his plea agreement. The Government has responded that it has no objection to the motion but requests that the issues raised in the motion be made the subject of a motion to suppress. No such motion has yet been filed.

The Court finds that an evidentiary hearing on the issues is warranted.

IT IS, THEREFORE, ORDERED that the Defendant's motion for leave to withdraw is deferred until a hearing is conducted on the issues raised in the motion.

IT IS FURTHER ORDERED that the matter is scheduled for a hearing on Wednesday, December 27, 2006 at 11:00 a.m. in the United States Courthouse, 100 Otis Street, Asheville, North Carolina 28801.

Signed: December 21, 2006



Lacy H. Thornburg
United States District Judge

